



MICHIGAN
HOUSE OF REPRESENTATIVES
P.O. Box 30014
LANSING, MICHIGAN 48909-7514

MINUTES OF THE COMMITTEE
ON
HEALTH POLICY

Wednesday, May 16, 2018 9:00 a.m. Room 519 House Office Building

The House Standing Committee on Health Policy was called to order by Chairman Vaupel.

Members present: Reps. Vaupel, Tedder, Graves, Garcia, Sheppard, Calley, Farrington, Hauck, Hornberger, Kahle, Noble, Brinks, Garrett, Neeley, Ellison, Hammoud, and Hertel.

Members absent/excused: None.

Representative Tedder moved to adopt the minutes of May 2, 2018. There being no objection, the motion prevailed by unanimous consent.

Chairman Vaupel laid the following bill before the committee:

HB 5241 (VanSingel) Health; screening; dental screening of children; require.

Representative VanSingel testified in support of the bill. Questions and discussion followed.

Dr. Mark Johnston, representing the Michigan Dental Association; Anne Scott, representing the Ingham County Health Department; Jan Miller, representing the Michigan Dental Hygienists Association; Rick Lantz, representing Delta Dental; Meghan Swain, representing the Michigan Association for Local Public Health; and Josh Kluzak, representing the Michigan Dental Association, testified together in support of the bill. Questions and discussion followed.

Dr. Marcy Borofsky, representing the Michigan Dental Outreach, testified in support of the bill with changes.

The following people submitted a card in support of the bill, but not wishing to speak:

Paul Liabenow, representing the Michigan Elementary and Middle School Principals Association.

Meghan Keit, representing the Michigan Association of Counties.

Andy Neumann, representing the Michigan Education Association.

Patti Tremblay, representing the Michigan Association of Intermediate School Administrators.

Peter Spadafore, representing the Michigan Association of School Administrators.

Karlene Ketola, representing the Michigan Oral Health Care Coalition.

Mitch Alber, representing the Michigan Association of School Boards.

Denise Sloan, representing the Michigan Academy of Pediatrics.

Ryan Grinnel-Ackerman, representing the Michigan Primary Care Association.

Emily Schwarzkopf, representing the Michigan League for Public Policy.

Chairman Vaupel laid the following bill before the committee:

HB 5647 (Frederick)	Health; other; use of handheld dental X-ray system; allow under certain circumstances.
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Representative Frederick and Scott Hadden, representing Kavo Kerr, testified together in support of the bill. Questions and discussion followed.

Frank Waters, representing the Michigan Department of Licensing and Regulatory Affairs, submitted a card in opposition to the bill as introduced, but did not wish to speak.

Chairman Vaupel laid the following bills before the committee:

HB 5818 (Guerra)	Probate; guardians and conservators; guardians' authority to consent to mental health treatment; allow.
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HB 5819 (Kesto)	Mental health; other; guardians' authority to consent to mental health treatment; allow.
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HB 5820 (Kesto)	Mental health; code; procedure for involuntary mental health treatment and judicial admissions; revise.
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The following people submitted a card in support of the bills, but not wishing to speak:

Stephanie Johnson, representing the Michigan Probate Judges Association.
Milton Mack, representing the State Court Administrative Office.

Brandon Lanyon, representing the Prosecuting Attorneys Association of Michigan, submitted a card in support of HB 5820, but not wishing to speak.

Representative Tedder moved to report out HB 5818 with recommendation. The motion prevailed, the vote being 17-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Vaupel, Tedder, Graves, Garcia, Sheppard, Calley, Farrington, Hauck, Hornberger, Kahle, Noble, Brinks, Garrett, Neeley, Ellison, Hammoud, Hertel.

Nays: None.

Pass: None.

Representative Farrington moved to report out HB 5819 with recommendation. The motion prevailed, the vote being 17-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Vaupel, Tedder, Graves, Garcia, Sheppard, Calley, Farrington, Hauck, Hornberger, Kahle, Noble, Brinks, Garrett, Neeley, Ellison, Hammoud, Hertel.

Nays: None.

Pass: None.

Representative Sheppard moved to report out HB 5820 with recommendation. The motion prevailed, the vote being 17-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Vaupel, Tedder, Graves, Garcia, Sheppard, Calley, Farrington, Hauck, Hornberger, Kahle, Noble, Brinks, Garrett, Neeley, Ellison, Hammoud, Hertel.

Nays: None.

Pass: None.

Chairman Vaupel laid the following bill before the committee:

HB 5810 (Vaupel) Mental health; other; certain alternative mental health treatment;
replace with assisted outpatient treatment.

Milton Mack, representing the State Court Administrative Office, submitted a card in support of the bill, but not wishing to speak.

Sean Bennett, submitted a card and written testimony in support of repealing section 1401D, but did not wish to speak.

The following people submitted a card with a neutral position on the bill, but not wishing to speak:

Alan Bolter, representing the Community Mental Health Association of Michigan, has funding concerns.

Dr. Angie Pinheiro, representing the Michigan Psychiatric Society, will support with agreed upon changes and submitted written testimony.

Representative Tedder moved to adopt the substitute (H-3) to HB 5810. The motion prevailed, the vote being 17-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Vaupel, Tedder, Graves, Garcia, Sheppard, Calley, Farrington, Hauck, Hornberger, Kahle, Noble, Brinks, Garrett, Neeley, Ellison, Hammoud, Hertel.

Nays: None.

Pass: None.

Representative Garcia offered the following amendment to HB 5810 (H-3):

1. Amend page 9, following line 26, by inserting:
"SEC. 308A. IF THERE IS AN INCREASE IN THE NUMBER OF PERSONS REQUIRING TREATMENT UNDER SECTION 401 AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION, THE STATE MUST PAY ALL OF THE ADDITIONAL COSTS ASSOCIATED WITH THE INCREASE."

Representative Garcia moved to adopt the amendment to the bill. The motion prevailed, the vote being 11-6-0.

FAVORABLE ROLL CALL

Yeas: Reps. Garcia, Calley, Hornberger, Kahle, Noble, Brinks, Garrett, Neeley, Ellison, Hammoud, Hertel.

Nays: Reps. Vaupel, Tedder, Graves, Sheppard, Farrington, Hauck.

Pass: None.

Representative Garcia offered the following amendments to HB 5810 (H-3):

1. Amend page 11, line 27, after "means" by striking out the balance of the line and inserting **"1 OF THE FOLLOWING:"**.

2. Amend page 12, line 13, after "(c)" by striking out "An" and inserting **"EXCEPT AS PROVIDED IN THIS SUBDIVISION, AN"**.

3. Amend page 12, line 17, after "harm." by inserting **"IF, 3 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED SUBDIVISION (E), THERE IS NOT A 20% REDUCTION IN COST AS DETERMINED IN SUBSECTION (3), THIS SUBDIVISION NO LONGER APPLIES."**

4. Amend page 13, following line 13, by inserting:
"(E) IF, 3 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBDIVISION, THERE IS NOT A 20% REDUCTION IN COST AS DETERMINED IN SUBSECTION (3), AN INDIVIDUAL WHO HAS MENTAL ILLNESS, WHOSE JUDGMENT IS SO IMPAIRED BY THAT MENTAL ILLNESS THAT HE OR SHE IS UNABLE TO UNDERSTAND HIS OR HER NEED FOR TREATMENT, AND WHOSE IMPAIRED JUDGMENT, ON THE BASIS OF COMPETENT CLINICAL OPINION, PRESENTS A SUBSTANTIAL RISK OF SIGNIFICANT PHYSICAL OR MENTAL HARM TO THE INDIVIDUAL IN THE NEAR FUTURE OR PRESENTS A SUBSTANTIAL RISK OF PHYSICAL HARM TO OTHERS IN THE NEAR FUTURE.

(F) IF, 3 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBDIVISION, THERE IS NOT A 20% REDUCTION IN COST AS DETERMINED IN SUBSECTION (3), AN INDIVIDUAL WHO HAS MENTAL ILLNESS, WHOSE UNDERSTANDING OF THE NEED FOR TREATMENT IS IMPAIRED TO THE POINT THAT HE OR SHE IS UNLIKELY TO VOLUNTARILY PARTICIPATE IN OR ADHERE TO TREATMENT THAT HAS BEEN DETERMINED NECESSARY TO PREVENT A RELAPSE OR HARMFUL DETERIORATION OF HIS OR HER CONDITION, AND WHOSE NONCOMPLIANCE WITH TREATMENT HAS BEEN A FACTOR IN THE INDIVIDUAL'S PLACEMENT IN A PSYCHIATRIC HOSPITAL, PRISON, OR JAIL AT LEAST 2 TIMES WITHIN THE LAST 48 MONTHS OR WHOSE NONCOMPLIANCE WITH TREATMENT HAS BEEN A FACTOR IN THE INDIVIDUAL'S COMMITTING 1 OR MORE ACTS, ATTEMPTS, OR THREATS OF SERIOUS VIOLENT BEHAVIOR WITHIN THE LAST 48 MONTHS. AN INDIVIDUAL UNDER THIS SUBDIVISION IS ONLY ELIGIBLE TO RECEIVE ASSISTED OUTPATIENT TREATMENT."

5. Amend page 13, following line 22, by inserting:
"(3) BEGINNING 1 YEAR AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION, AND ANNUALLY FOR THE NEXT 2 YEARS, THE DEPARTMENT SHALL COMPARE WHAT IT COSTS TO TREAT PERSONS REQUIRING TREATMENT BEFORE THE EFFECTIVE DATE OF

THE AMENDATORY ACT THAT ADDED THIS SUBSECTION AND AFTER. THE DEPARTMENT MUST SUBMIT A REPORT TO THE LEGISLATURE THAT SETS OUT THE COST SAVINGS OR COST INCREASES DETERMINED BY THE COMPARISON DESCRIBED IN THIS SUBSECTION."

Representative Garcia withdrew the amendments to the bill.

Representative Brinks moved to report out HB 5810 with recommendation, as amended, as substitute (H-4). The motion prevailed, the vote being 17-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Vaupel, Tedder, Graves, Garcia, Sheppard, Calley, Farrington, Hauck, Hornberger, Kahle, Noble, Brinks, Garrett, Neeley, Ellison, Hammoud, Hertel.

Nays: None.

Pass: None.

There being no further business before the committee, Chairman Vaupel adjourned the meeting, the time being 10:06 a.m.

Representative Hank Vaupel, Chair_____

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